

REMARKS

Claims 1-6, 8, 10, 12-15 and 45-53 remain in this application. Applicant respectfully requests re-examination. Applicant submits herewith a Request for Continued Examination.

Claims 1-6, 8, 10 and 12-15 were rejected under 35 U.S.C. §103(a) as unpatentable over *Spangler* (US 6,270,123), *Lodwick* (US 2,203,167) and further in view of *Wright et al.* (US Pub 2004/0046802). Applicant respectfully traverses.

Spangler is directed to a display of color samples on take-home cards in the form of elongated strips that are placed in horizontal rows on a display unit. Adjacent color strips in the same row have closely related hues that either decrease or increase in wavelength. Each horizontal row includes a family of colors formulated from a single type of base such as a tint base, a pastel base, a deep base or an accent base. The rows are arranged in descending levels of lightness with the lightest pastel colors in the top horizontal rows and the darkest colors in the lowest horizontal rows.

Lodwick provides a plurality of color sample cards in a binder for the purpose of identifying and reproducing color harmony by providing a method of matching hue, chroma and color value. *Lodwick* essentially has two notebooks which he calls Directory 11 and Directory 12, which contain the color tone cards. The color tone cards in Directory 12 are complementary in color to the color tone cards in Directory 11. Accordingly, to use *Lodwick's* directory a person must select a color in Directory 11 and then flip through the cards of Directory 12 to find the complementary color that strikes his fancy.

Wright et al. is directed to a computerized color system which essentially functions like *Lodwick* but automatically. In other words, upon an initial color selection by a user, the system will determine the group into which the selected color belongs and then generate a selection of

colors which belong to that group. The user can then select one or more further colors from this group of selected colors. The selection of colors generated by the system are harmonious with the initial color selection.

The three references, *Spangler*, *Lodwick* and *Wright et al.* are each directed to a different color selection system. Even if these three references could properly be combined, as the Office Action suggests, that combination still does not show, describe or infer a method for displaying paint color samples in a two dimensional physical display unit which includes “arranging one or more color combination paint sample cards adjacent to each group of different hue and chroma physical paint sample cards, each color combination paint sample card containing a plurality of paint samples having the same base hue as the hue of the group it is adjacent to and a picture of a building or a room painted with the plurality of colors on the color combination paint sample card.”

The combination of *Spangler*, *Lodwick* and *Wright et al.*, even if appropriate, as suggested in the Office Action, does not show, describe or infer a paint sample display unit having “a second plurality of physical paint sample cards carrying a paint color of similar hue but different chroma to every other physical paint sample card of the second plurality, the second plurality of physical paint sample cards being arranged in a second column of the paint sample card display unit, from most chromatic to least chromatic; and one or more physical color coordination paint sample cards adjacent to each chromatic group of the first plurality of physical paint sample cards and the second plurality of physical paint sample cards, each physical color coordination sample card containing a plurality of paint samples having the same base hue as the hue of the group it is adjacent to and a picture of a building or room painted with the plurality of paint sample colors on the color combination paint sample card.”

The combination of references as suggested in the Office Action, even if appropriate, does not show, describe or infer a paint color display system to assist customers in the selection of paint colors which includes, “one or more physical color coordination paint sample cards adjacent to each group of different hue and chroma paint sample cards, each physical color coordination card containing a plurality of paint samples having the same base hue as the hue of the group it is adjacent to and a picture of a building or a room painted with the plurality of paint sample colors on the color coordination paint sample card.”

The combination of references as suggested in the Office Action, even if appropriate, does not show, describe or infer a method of displaying paint color samples in a two dimensional physical display which includes “arranging one or more color combination style cards adjacent to each group of different hue and chromatic paint sample cards, each color combination style card being a tri-fold card with three separate sections, each separate section containing a plurality of paint samples having the same base hue of the group the tri-fold card is adjacent to, and a picture of a room painted with the plurality of paint sample colors on the section, each section of the tri-fold card having a picture of a different room.”

The combination of references as suggested by the Office Action, even if appropriate, does not show, describe or infer a paint color display system which includes “one or more physical color combination style cards adjacent to each group of different hue and chroma paint color sample cards, each color combination style card being a tri-fold card with three separate sections, each separate section containing a plurality of paint samples having the same base hue as the hue of the group it is adjacent to, and a picture of a room painted with the plurality of paint sample colors on the section, each section of the tri-fold card having a picture of a different room.”

The dependent claims that depend from and further limit the independent claims in this application further recite additional steps or additional structure, which is not shown in any of the references of record, or in any combination of references of record.

In light of the above amendments and remarks, applicant respectfully submits that all the claims remaining in this application are allowable, and respectfully request that the claims be allowed and this application passed to issue.

Very truly yours,

SNELL & WILMER L.L.P.



Albin H. Gess
Registration No. 25,726
600 Anton Boulevard, Suite 1400
Costa Mesa, California 92626
Telephone: (714) 427-7020
Facsimile: (714) 427-7799